

SUPPRESSION OF CUSTOMS FRAUDS

Exchange of notes at Paris December 10 and 12, 1936

Entered into force December 15, 1936

50 Stat. 1468; Executive Agreement Series 99

The Minister of Foreign Affairs to the American Ambassador

MINISTRY OF FOREIGN AFFAIRS
Office of Administrative Affairs
and International Unions

PARIS, *December 10, 1936*

MR. AMBASSADOR:

I have the honor to advise Your Excellency that the French Government is disposed, on condition of reciprocity, to apply, on and after December 15, 1936, the following provisions, with a view to the suppression of customs frauds, through the mutual assistance of the French and American Customs Administrations.

"Article I. The Customs Administration of the United States of America and the French Customs Administration shall promptly communicate to each other all information at any time in their possession concerning imports and exports which might facilitate the suppression of smuggling or fraud in the other country."

"Article II. Concerning direct or indirect shipments of merchandise between the United States of America or its possessions and France or its possessions, each of the Administrations concerned shall send directly to the other, upon the latter's written request, all information which may be gathered from documents in its possession (entries, registration records, declarations, and other customs documents). Such documents, or duly authenticated or certified copies thereof, may be used as evidence in proceedings or prosecutions in the courts."

"Article III. The appropriate officers of the Governments of the United States of America and France, respectively, shall furnish upon request to duly authorized officers of the other Government information concerning clearances of vessels or the transportation of cargoes, when the importation or exportation of any of the cargo carried is prohibited, restricted, or subject to the payment of duties or other exactions, or when the requesting officers

suspect that the owners or persons in possession of any of the cargo intend to violate the laws of the requesting Government, in respect of such cargo.”

“*Article IV.* It is agreed that the customs and other administrative officials of the Government of the United States of America and France, respectively, shall upon request of the competent authorities of one Government made of the competent authorities of the other Government, be directed to attend as witnesses and to produce such available records and files, or duly authenticated or certified copies thereof, as may be considered essential to the trial of civil or criminal cases in the courts of the country on whose behalf the request was made, and as may be produced compatibly with the public interest of the country of which the request was made.”

“The cost of transcripts of records, depositions, certificates and letters rogatory in civil or criminal cases, and the cost of first-class transportation both ways, maintenance and other proper expenses involved in the attendance of such witnesses shall be paid by the Government requesting their attendance not later than at the time of their discharge by the court from further attendance at such trial. Letters rogatory and commissions shall be executed with all possible despatch and copies of official records or documents shall be authenticated or certified promptly by the appropriate officials in accordance with the provisions of the laws of the respective countries.”

Please accept, Mr. Ambassador, the assurances of my very high consideration.

For the Minister of Foreign Affairs
and by authorization
The Ambassador of France
Secretary General
ALEXIS LEGER

His Excellency
MR. WILLIAM CHRISTIAN BULLITT,
Ambassador of the United States of America,
Paris.

The American Ambassador to the Minister of Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Paris, December 12, 1936

No. 108

EXCELLENCY:

I have the honor to acknowledge the receipt of Your Excellency's note of December 10, 1936, concerning cooperation between the Customs Services of the United States of America and France for the suppression of frauds,

and, in reply, to state that the American Government agrees to the following provisions, to become effective December 15, 1936, for this purpose:

[For text of provisions, see French note, above.]

I avail myself of this occasion to renew to Your Excellency the assurance of my highest consideration.

WILLIAM C. BULLITT

His Excellency
Monsieur YVON DELBOS,
Minister of Foreign Affairs,
Paris.